

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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DARNELL HAGAN,

Petitioner,

Case No. 20-cv-1811-bhl

v.

UNITED STATES OF AMERICA,

Respondent.

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**ORDER**

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On December 1, 2020, petitioner filed a motion under 28 U.S.C. §2255 to vacate, set aside or correct his sentence, challenging his November 13, 2019 conviction in the United States District Court of the District of New Jersey. (ECF No. 1.) The petitioner appears to be incarcerated in Hudson County, New Jersey. (*Id.*) The Court must deny the petitioners §2255 motion because he has filed in the wrong court. Section 2255(a) states that a prisoner who is in custody under a federal court order “may move the court which imposed the sentence to vacate, set aside or correct the sentence.” In petitioner’s case, the correct court is the United States District Court for the District of New Jersey. Accordingly,

**IT IS HEREBY ORDERED** that, petitioner’s motion under 28 U.S.C. §2255, ECF No. 1, is **DENIED** without prejudice and this case is **DISMISSED**.

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED** because no reasonable jurists could debate that the petitioner filed his motion in the wrong district court.

Dated at Milwaukee, Wisconsin on December 18, 2020.

s/ Brett H. Ludwig

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BRETT H. LUDWIG

United States District Judge